

**City of Miami Beach - Special City Commission Meeting  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
September 8, 2003**

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Mayor David Dermer  
Vice-Mayor Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Saul Gross  
Commissioner Jose Smith  
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

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**ATTENTION ALL LOBBYISTS**

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

Called to order at 5:22:42 p.m.

**REGULAR AGENDA**

**R7 - Resolution**

R7A A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Approving The Continuation Of The Bay Link Transit Project Into The Final Environmental Impact Statement/Preliminary Engineering (FEIS/PE) Phase Of Study; And Designating The Streetcar Mode As The Optimal Transit Technology And Designating A Bi-Directional Loop Route Utilizing The Washington Avenue And Alton Road Corridors As The Locally Preferred Alternative (LPA) As Described Fully In The Final HDR Report.

The "Evaluation of Rapid Transit Options – Final Report for Phase I," prepared by HRD is submitted as a separate document.

(City Manager's Office)

**ACTION: Resolution No. 2003-25317 adopted as amended, with amendments to the routes, Commissioner Steinberg's four (4) amendments and the amendments to the conditions on the resolution.** Motion made by Commissioner Cruz; seconded by Commissioner Garcia; Ballot vote: 4-3; Opposed: Mayor Dermer, Vice-Mayor Bower, and Commissioner Smith. Tim Hemstreet to handle.

Prepared by the City Clerk's Office

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Jorge Gonzalez, City Manager, stated that the item is very specific and the question that needs to be answered when discussing the issue of Bay Link, and more specific the mode and the locally preferred alternative is; do you want to continue onto the final environmental impact statement analysis and the preliminary engineering design on a Bay Link project? He stated that members of the MPO, the Miami-Dade County Manager's Office, and the Miami-Dade County Transportation Department, along with City staff, are present to answer any questions and to help the Commission make this decision. He explained that his recommendation is two fold; 1) proceed with the Final Environmental Impact Study (FEIS) and 2) from an administrative perspective, the optimal transit solution is the street car technology.

Charles Hales, HDR Consultant, gave a PowerPoint presentation.

Commissioner Gross requested that Mr. Hales explain, for the public, the routes running in the streets rather than a dedicated lane, and the sizes of the different rail vehicles and the streetcars.

Commissioner Smith asked Mr. Hales to identify a specific study or example where a shared lane streetcar was used and where it supports its premise that it will attract "choice riders."

Mayor Dermer recognized Miami City Commissioner Johnny Winton and acknowledged Miami-Dade County Commissioner Bruno Barreiro and State Representative Gus Barreiro in the audience.

Vice-Mayor Bower is concerned that any type of rail that causes vibration will impact the historic buildings.

Commissioner Barreiro stated that buses continued to go to downtown Miami from the Omni after the people mover extension was built. He stated that bus routes will not be removed.

Danny Alvarez, from Miami Dade County Transit Department, stated that the removal of the bus routes is a policy decision to be made by the Miami-Dade County Commissioners, but it can be done.

Mr. Bradley Roosevelt, Miami-Dade County Transit Director, spoke.

Commissioner Steinberg asked why the routes are sometimes in the median lane and on the outside lane in other areas.

Miami City Commission Johnny Winton spoke.

Commissioner Steinberg asked the City of Miami Commissioner if he would be willing to advocate an agreement between the two municipalities for the City of Miami not to build a convention center because it would compete with the Convention Center in Miami Beach.

Commissioner Winton stated that the City of Miami will probably sign an agreement that they will not build a convention center to compete with Miami Beach, but not that they will not build a convention center.

Miami-Dade County Commissioner Bruno Barreiro explained that the decision does not have to be made today. In his opinion, the City of Miami Beach has over a year to make this decision. He recommended studying all the options and repeated that the decision does not have to be made today because the funding is not in jeopardy.

Representative Gus Barreiro spoke.

Former Mayor Neisen Kasdin spoke.

Bob Kunst spoke.  
Michael Milberg, Chairman of the Miami Beach Chamber of Commerce, spoke.  
Bruce Singer, President and CEO of the Miami Beach Chamber of Commerce, spoke and read a letter from Georgetown.  
Allan Randolph spoke.  
Tony Guerra spoke.  
Ken Harrison Robbins spoke.  
Marty Evans spoke.  
Roger (unknown last name) spoke.  
Mark Needle spoke.  
Dan Outerbridge spoke.  
Elliot Thompson spoke.  
Mike Robinson spoke.  
Mario Porcelli spoke.  
James Yonan spoke.  
Dave Noel, Fire Captain and President of the Fire Fighters Union, spoke.  
Charles Hales, HDR Consultant, spoke.  
Marilyn Kramer spoke.  
Lawrence Kramer spoke.  
Carlos Rodriguez spoke.  
Jeff Bradley spoke.  
Jeff Donnelly spoke.  
Ray Breslin spoke.  
Jeanne Tidy, from the NBDC, spoke.  
Barry Fritz spoke.  
Frank Del Vecchio spoke.  
Sheila Helman spoke.  
Stuart Reed spoke.  
Robert Warren spoke.  
Michael Cole spoke.  
Bea Kalstein spoke.  
Bruce Reich spoke.  
Joe Fontana spoke.  
Phillip De la Rosa spoke.  
Elizabeth Donnelly spoke.  
Dave Barlett spoke.  
Erika Brigham spoke.  
Carl Elliott spoke.  
Mike Rotbart spoke.  
Leslie Alsina spoke.  
Minette Benson spoke.  
Benita Argos spoke.  
Barry Klein, President of the North Beach Development Corporation, spoke.  
Clotilde Luce spoke.  
Michael Miller spoke.  
Michael Hughes spoke.  
Shelby McKillan spoke.  
Marlo Courtney spoke.  
Frank Dossa spoke.  
Peter Evans spoke.  
Barry Fritz spoke.

Robert Gaynor spoke.  
Bernard Zyscovich spoke  
Kristin Chaplin spoke.  
Charles Recher spoke.  
Scott Canal spoke.  
Felipe Azayan spoke.  
Neil Fairman spoke.  
Navin Ramani spoke.

**Motion No. 1:**

**Motion made by Commissioner Garcia to approve the Administration's recommendation.**

Commissioner Garcia commended the City Manager and stated that he deserves the entire credit for this process.

Commissioner Gross stated this has been a tough process, one that has divided the community and has not been easy. He stated that after reading all of the material, bus rapid transit was a "no brainer"; no wires, no tracks and with tool box technology it could make rapid transit as good as light rail with all the same advantages. He explained that the literature from the consultant shows that it is a very close toss up between the streetcar system and bus rapid transit, but not enough one way or another to counterbalance the fact that there is a lot less construction, less interruption to the business, it's cheaper and it could be done faster. He did some research and found out that many municipalities throughout the country have replaced the bus rapid transit systems. It does not attract the ridership. He stated that it is very important having the same system that the City of Miami is going to have and the City of Miami Beach needs to be integrated that that cannot be underemphasized.

**Commissioner Garcia withdrew his motion to allow somebody else to make the motion.**

Commissioner Smith commended the consultant for teaching this Commission so much in reference to this subject. He explained that the decision is strictly based on the City's best interest. The City will be well served either way, bus rapid transit or streetcar. After considering all of the issues and considering the ability to connect all the way north, considering government funding, etc. the City of Miami Beach will be better served with a bus rapid system.

Commissioner Cruz stated that the best option for the City's quality of life and the future depends on this decision.

**Motion No. 2**

**Motion made by Commissioner Cruz to approve the Administration's recommendation, which is streetcars; seconded by Commissioner Garcia.**

Commissioner Bower does not feel that this is right for the City is not convinced that South Beach can tolerate the street cars and the buses. She will go with bus rapid transit.

Commissioner Steinberg stated that the entire beach should be part of the program. He hopes the consultant is right and that the system can be expanded. He will support the streetcars.

Mayor Dermer stated that raising this issue was important for the community and because of that; there has been a shift of opinions. He is convinced that the City needs to look at the region as whole and the best way to link Miami Beach to Miami is to have a high-tech, clean system, that covers the entire city. He thanked Frank Del Vecchio for his vision on this and he believes he is correct.

Commissioner Gross asked the Mayor if he thinks that the people of South Beach are against the tracks.

Mayor Dermer explained that everyone he spoke with is in support of the Bay Link, but not in support of rails.

Commissioner Gross asked if it make sense to have the streetcar system for South Beach and to move forward with connecting a streetcar system with a bus rapid transit system to Middle and North Beach.

Mayor Dermer stated that the City should implement a bus rapid system for the entire City and do it right away. He also stated that the City will have more control than with installing tracks.

Commissioner Gross stated that the City has funds from the Transit Tax to implement this.

Mayor Dermer explained that to gain consensus this issue should be placed on the ballot. The City has until the end of November to put it on the ballot.

Vice-Mayor Bower asked if the City could do both.

Commissioner Smith stated that this decision is only from South Pointe to the convention center and it does not have the authority to go further.

Bill Johnson, Assistant County Manager, stated that the City Commission can make that recommendation to the MPO, and it will require a study of the new area.

Commissioner Smith asked what is the best way to accomplish this.

Charles Hales, HDR Consultant, stated that this is a federally funded study. He added that even the bust rapid transit takes just as long as the rail.

Mayor Dermer, for the record, asked the Commission to place this issue on the ballot next November.

**Motion No. 3:**

**Motion made by Vice-Mayor Bower to place the issue on the ballot. Discussion continued. No second offered.**

Murray Dubbin, City Attorney, stated his advice is to first vote on the initial motion.

Commissioner Steinberg stated that the routes need to be discussed before a vote is taken.

Commissioner Gross added that the bus rapid system and better buses need to be clarified and asked Mr. Johnson to explain this.

Bill Johnson, Assistant County Manager, explained that a separate resolution can be passed for the MPO to study the connection to the entire beach and added that Miami-Dade County is committed to improving the entire bus system

Commissioner Smith stated that the City is choosing a much cheaper system, and asked if the City can use the difference to improve transit up to North Beach.

Bill Johnson, Assistant County Manager, stated that this Commission can give him the direction to request the County to implement the next generation buses.

Jorge Gonzalez, City Manager, asked how soon the City would see these improvements.

Bradley Roosevelt, Miami-Dade County Transit Director, stated that one year to a year and a half throughout the County.

**Motion No. 4:**

**Motion made by Vice-Mayor Bower to defer the issue; seconded by Mayor Dermer; Voice vote: 3-4: Opposed: Commissioners Cruz, Garcia, Gross and Steinberg.**

Commissioner Gross asked what would happen if Miami Beach chooses streetcars and the City of Miami chooses light rail.

Clark Turner, from the City of Miami, stated that it would not be compatible to what the City of Miami has decided to do.

Jorge Gonzalez, City Manager, asked Charles Hales how this would get resolved at the MPO.

Commissioner Smith stated that the City of Miami Beach and the City of Miami need to have a discussion.

**Amendment No. 1:**

**Motion made by Commissioner Steinberg to amend the preferred route by extending it to Biscayne Street which is South Pointe Drive instead of turning on Commerce Street or 1<sup>st</sup> Street.**

**Commissioner Cruz accepted the amendment.**

**Amendment No. 2:**

**Motion made by Commissioner Steinberg to amend the preferred route by creating a median on Alton Road instead of on the curve side.**

**Commissioner Cruz accepted the amendment.**

**Amendment No. 3:**

**Motion made by Commissioner Steinberg to make a vital amendment to the preferred route by allowing buses and emergency vehicles to have access to the dedicated lanes across the causeway.**

**Commissioner Cruz accepted the amendment.**

**Amendment No. 4:**

**Motion made by Commissioner Steinberg to amend the preferred route to have the blue alignment make a left on Lincoln Road, a right on West Avenue and across the canal on a bridge to be built, and a right on Dade Boulevard.**

**Commissioner Cruz accepted the amendment.**

**Amendment by Mayor Dermer:**

**Mayor Dermer asked Commissioner Cruz if he would accept the above four amendments contingent to a public vote.**

**Commissioner Cruz did not accept this amendment.**

**Motion No. 5:**

**Motion made by Vice-Mayor Bower to make this amendment contingent on a public vote; seconded by Mayor Dermer; Ballot vote; 3-4: Opposed: Commissioners Cruz, Garcia, Gross and Steinberg.**

Commissioner Gross requested the Administration not to delay with the cosmetic improvements on Washington Avenue.

Commissioner Steinberg requested to go ahead with the improvements to relieve the flooding on Washington Avenue.

**Amendments to the conditions on the resolution:**

- ❑ **Another Draft Environmental Impact Statement (DEIS) process shall be initiated to continue ~~the streetcar~~ analyzing an alignment to Middle Beach and North Beach, utilizing the Collins Avenue corridor, as recommended by the Miami Beach Planning Board.**
- ❑ **A local circulator bus route connecting the rail stations with the adjacent neighborhoods should be considered, particularly to areas of Middle and North Beach.**
- ❑ **Construction of an intermodal transit facility that would also accommodate the local circulator route, above mentioned.**
- ❑ **Replacement and enhancement of any displaced parking in Miami Beach.**
- ❑ **Replacement and enhancement of landscaping in project corridor to include shade tree canopy above the wire.**
- ❑ **Operating funds for the system are from the Transit Tax or other County provided resources, not Miami Beach sources.**
- ❑ **During any construction, a public outreach and awareness effort managed by Miami Beach is to be funded from Transit Tax and other non-Miami Beach fund sources.**
- ❑ **Miami Beach maintains control over the design of stations and the appearance of vehicles used in the system.**
- ❑ **Funds are provided to Miami Beach for business impact mitigation.**
- ❑ **Complete an origin and destination study to guide future routing to serve the entirety of Miami Beach.**
- ❑ **Develop a definitive plan for mainland expansion that clearly delineates future routes beyond downtown Miami.**

- ❑ Diversion of MDT bus traffic over causeways north of the MacArthur; and a plan for bus traffic that does not result in a bus depot being created in Miami Beach, to the extent feasible.
- ❑ Creation of a Citizen's Oversight Board once the full funding grant agreement is approved.
- ❑ DEIS operating parameters responsive to Miami Beach peak traffic needs which includes evening hours.
- ❑ The City requests consideration by the Metropolitan Planning Organization (MPO) of an independent transit consultant to assist the City with the completion of the next phase of the study, to be selected by the City and paid by the MPO.
- ❑ The core team of Parsons Brinkerhoff shall be expanded to add an urban planning and community development expertise.
- ❑ During the FEIS, the City of Miami Beach will have a Commission-appointed technical advisory committee to review and monitor the study and to provide detailed design feedback as needed.
- ❑ The County collected contribution for Art in Public Places on the Miami Beach component is to be specifically earmarked for use in the City of Miami Beach, or provided to the City's Art in Public Places fund.
- ❑ ~~The City and the City of Miami will pursue an interlocal agreement to specify that the construction of a streetcar system linking the two communities will preclude the future development of a convention center in the City of Miami (City responsibility not MPO in the FEIS process).~~
- ❑ Evaluation of Rapid Transit Options - Final Report for Phase 1, September 8, 2003 - Include by reference sections 4.2 (Locally Preferred Alternative Conditions) and 4.3 (Action Plan for Miami Beach)
- ❑ A vibration study is to be included in the FEIS analysis for historic buildings.
- ❑ Based on the commitment received by Miami-Dade County to expeditiously implement bus improvements to the existing bus service provided to the Middle and North Beach areas.

Mayor Dermer stated that there should not be a convention center in Miami.

Commissioner Gross requested to take that last item out completely.

Commissioner Garcia stated that what needs to be done is to bring our convention center up -to-date to a first class center.

Commissioner Smith agreed that it should be removed.



Commissioner Cruz stated that he feels is inappropriate but will leave it up to the commission.

Commissioner Cruz decided to leave the item in the resolution.

Commissioner Cruz stated that if Commissioner Smith, who seats at the MPO, feels uncomfortable with this item, he will request to have it removed.

**Motion No. 6:**

**Action: Resolution No. 2003-25318 adopted. Motion made by Commissioner Steinberg to prepare a companion resolution to pursuit an Interlocal Agreement with the City of Miami to preclude the City of Miami from developing a convention center; seconded by Commissioner Garcia; Ballot vote: 5-2: Opposed: Mayor Dermer and Commissioner Gross.**

Commissioner Gross stated that it would be very important to have those routes read-outs in Miami Beach.

Jorge Gonzalez, City Manager, stated that in the analysis of the FEIS the vibration study needs to be included. Also, emphasize the commitment from the Assistant County Manager.

Handout or reference materials:

1. Notice of Ad in Miami Herald
2. Email from Frank Del Vecchio, dated September 7, 2003, RE: The Bay Link Choice: Bus Rapid Transit, with Clean-fuel Vehicles
3. 92 page petitions titled: "Petition to the Miami Beach Commission," submitted by Joe Fontana
4. Speakers list.
5. Bound report titled: "Evaluation of Rapid Transit Options, Final Report for Phase I, September 8, 2003," prepared by HRD Engineering, Inc.
6. Document titled: "United States General Accounting Office (GAO), Report to Congressional Requesters. September 2001, Mass Transit Bus Rapid Transit Shows Promise," submitted by Stuart Reed.
7. Notice submitted by Benita Argos.
8. Document titled: "Electrowave Transit Re-Routing to cover Alton Business Area," submitted by Philip de la Roza.
9. Email from Frank Del Vecchio, dated September 7, 2003, titled: Bus Rapid Transit (BRT) with clean-fuel Vehicles, Mixed Traffic on Miami Beach, with System Enhancements
10. Letter and Resolution from Bruce Singer, President & C.E.O., Miami Beach Chamber of Commerce, to Mayor David Dermer and the Miami Beach City Commission, dated August 25, 2003, RE: Mass Transit Resolution
11. Two (2) page petitions titled: "Petition to the Miami Beach Commission"
12. Two (2) Miami Herald articles submitted by Marty Evans
13. Two (2) color photos of trackless trolley buses, submitted by Commissioner Steinberg
14. Email from Ashley Bruce to Commissioner Richard Steinberg, dated August 28, 2003
15. Email from Ashley Bruce to Commissioner Richard Steinberg, dated September 8, 2003, RE: the Electric Bus Group
16. Internet advertisement titled "In financial terms, the Trolley coach is clearly the most cost effective "green" public service vehicle available, submitted by Commissioner Steinberg.
17. 2 black and white copies of Miami Beach in the 1927 showing trolleys. Submitted by Miami-Dade County Commissioner Barreiro.
18. Signatures from A.R.T., Alliance for Reliable Transport, submitted by Elliot Thompson.
19. Color copy of a rail streetcar
20. Document titled: "Clean Fuel Bus Rapid Transit, Customer-Friendly, Modern and Convenient, Extended to Serve All Parts Of Miami Beach is the Best Bay Link Option for All"
21. Miami Herald article dated July 6, 2003, Copy of Initiative Petition, City Charter Amendment, City of Miami Beach.

Meeting adjourned at 12:30:00 a.m.

**End of Regular Agenda**